

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

In re: MOHAMMAD J. CAHUDHRY

Case No.: 15-34254(RG)
Chapter 7
Honorable Rosemary Gambardella

NOTICE OF PROPOSED COMPROMISE or SETTLEMENT OF CONTROVERSY

Charles M. Forman, (“Forman”) chapter 7 trustee in this case proposes a compromise, or to settle a claim and/or action as described below. If you object to the settlement or compromise, you must file a written objection with the Clerk of the United States Bankruptcy Court, and serve it on the person named below not later 7 days before the hearing date.

ADDRESS OF THE CLERK: United States Bankruptcy Court
Martin Luther King, Jr. Federal Building
50 Walnut Street, Third Floor
PO Box 1352
Newark, NJ 07101-1352

If an objection is filed, a hearing will be held before the Honorable Rosemary Gambardella, United States Bankruptcy Judge, on November 21, 2017 at 10:00 a.m. at the United States Bankruptcy Court, Courtroom No. 3E. If no objection is filed, the clerk will enter a *Certification of No Objection* and the settlement may be completed as proposed.

Nature of action: The Trustee conducted an investigation into the Debtor’s financial affairs which revealed that the Debtor and his brother, Muhammad Jahanzeb Chaudhry, transferred the sum of \$362,249.92 (the “Transfers”) to the Debtor’s parents, Mohammad Javed Chaudhry and Shaheen Javed (“Defendants”) for no consideration. The Trustee filed a complaint (the “Complaint”) seeking to recover the Transfers under various legal theories, including fraudulent transfer, equitable lien, constructive lien, unjust enrichment and conversion. Forman alleges that the Transfers were used by Defendants to purchase real property located at 18 Elm Court, Bayonne, New Jersey (the “Property”). In addition, Jeffrey A. Lester (“Lester”), the chapter 7 trustee of the Debtor’s brother, Muhammad Jamshed Chaudhry, Case No. 15-30255 (JKS), filed a complaint seeking the same relief. Defendants denied the allegations in both Complaints.

Pertinent terms of settlement: Defendants entered into settlement negotiations with Forman and Lester, that resulted in a Settlement Agreement. The Settlement Agreement provides that Defendants shall pay the sum of \$250,000 to settle the Complaints (the “Settlement Amount”). The Settlement Amount shall be apportioned between the Debtor’s estate and the estate of Muhammad Jamshed Chaudhry as follows: The Debtor’s estate shall receive the sum of \$140,000 and the estate of Muhammad Jamshed Chaudhry shall receive the sum of \$110,000.

In the event Defendants default under the terms of the Settlement Agreement, Defendants consent to the entry of a default judgment in the amount of \$362,249.92 and have agreed to authorize Forman and Lester to sell the Property and retain \$362,249.92 in sale proceeds for the benefit of the Debtor’s estate and the estate of Muhammad Jamshed Chaudhry.

This settlement is contingent upon approval of the settlement in the chapter 7 case of Muhammad Jamshed Chaudhry.

Objections must be served on, and requests for additional information directed to:

/s/ Kim R. Lynch

Kim R. Lynch, Esq.
Forman Holt
66 Route 17 North, First Floor
Paramus, New Jersey 07652
Tel: 201.857-7108
Email: klynch@formanlaw.com

Certificate of Notice Page 3 of 4
United States Bankruptcy Court
District of New Jersey

In re:
 Mohammad J Chaudhry
 Mohammad J Chaudhry
 Debtors

Case No. 15-34254-RG
 Chapter 7

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
 Form ID: pdf905

Page 1 of 2
 Total Noticed: 42

Date Rcvd: Oct 24, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 26, 2017.

db +Mohammad J Chaudhry, 18 Elm Court, Bayonne, NJ 07002-4371
 aty +Forman Holt, 66 Route 17 North, First Floor, Paramus, NJ 07652-2742
 aty #+Forman Holt Eliades & Youngman LLC, 80 Route 4 East, Suite 290, Paramus, NJ 07652-2661
 aty +LeClairRyan, a Professional Corporation, 1037 Raymond Boulevard, Sixteenth Floor,, Newark, NJ 07102-5423
 aty Powers Kirn, 8728 Marne Highway, Suite 200, Moorestown, NJ 08057
 cr +Barcelona Capital LLC, 407 W. 39th Street, New York City, NY 10018-1230
 cr +Capital One Equipment Finance Corp. d/b/a Capital, c/o McCarter & English, LLP,
 Attn: Joseph Lubertazzi, Jr., 100 Mulberry St., Four Gateway Center,
 Newark, NJ 07102-4062
 lm CitiMortgage, PO Box 6243, Sioux Falls, SD 57117-6243
 515927894 #+Bank of America, Nc4-105-03-14, Po Box 26012, Greensboro, NC 27420-6012
 515927895 +Barcelona Capital LLC, 407 W 39th Street, New York, NY 10018-1230
 515927896 +Barclays Bank Delaware, Po Box 8801, Wilmington, DE 19899-8801
 515927898 ++CITIBANK, PO BOX 790034, ST LOUIS MO 63179-0034
 (address filed with court: Cbna, 50 Northwest Point Road, Elk Grove Village, IL 60007)
 515927897 +Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
 516361230 Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083
 516415771 Capital One Equipment Finance Corp. d/b/a Capital, c/o Joseph Lubertazzi, Jr., Esq.,
 McCarter & English, LLP, 100 Mulberry St., Four Gateway Center, Newark, NJ 07102
 516418670 Capital One NA, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
 515927900 +Chase Card Services, Attn: Correspondence Dept., Po Box 15298, Wilmington, DE 19850-5298
 515927901 +Citibank/Best Buy, Centralized Bankruptcy/CitiCorp Credit S, Po Box 790040,
 St Louis, MO 63179-0040
 515927902 +Comenity Bank/express, Po Box 182125, Columbus, OH 43218-2125
 516465372 Department Store National Bank, c/o Quantum3 Group LLC, PO Box 657,
 Kirkland, WA 98083-0657
 515927905 +First Premier Bank, 3820 N Louise Ave, Sioux Falls, SD 57107-0145
 515927906 +Gold Taxi Brokers, 407 W 39th Street, New York, NY 10018-1230
 515927908 Ralph A Grieco, 758 Morris Turnpike, PO Box 505, Short Hills, NJ 07078-0505
 515927913 ++TOYOTA MOTOR CREDIT CORPORATION, PO BOX 8026, CEDAR RAPIDS IA 52408-8026
 (address filed with court: Toyota Motor Credit, 4 Gatehall Dr Ste 350,
 Parsippany, NJ 07054)
 515927914 +XL Capital LLC, 407 W 39th Street, Ground Floor, New York, NY 10018-1230

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: usanj.njbankr@usdoj.gov Oct 24 2017 23:00:33 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
 smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Oct 24 2017 23:00:29 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235
 cr E-mail/Text: tidewaterlegalebn@twcs.com Oct 24 2017 22:59:55 Tidewater Finance Company,
 Tidewater Motor Credit, PObox 13306, Chesapeake, VA 23325
 515927903 +E-mail/PDF: creditonebknotifications@resurgent.com Oct 24 2017 23:09:54 Credit One Bank Na,
 Po Box 98873, Las Vegas, NV 89193-8873
 516339210 E-mail/Text: mrdiscen@discover.com Oct 24 2017 22:59:47 Discover Bank,
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 515927904 +E-mail/Text: mrdiscen@discover.com Oct 24 2017 22:59:47 Discover Financial,
 Attn: Bankruptcy, Po Box 3025, New Albany, OH 43054-3025
 515927907 +E-mail/Text: bnckohlsnotices@becket-lee.com Oct 24 2017 22:59:52 Kohls/Capital One,
 Po Box 3120, Milwaukee, WI 53201-3120
 516488330 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Oct 24 2017 23:10:11
 Portfolio Recovery Associates, LLC, c/o Jc Penney Credit Card, POB 41067,
 Norfolk VA 23541
 516488355 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Oct 24 2017 23:28:41
 Portfolio Recovery Associates, LLC, c/o Toys R Us, POB 41067, Norfolk VA 23541
 516488353 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Oct 24 2017 23:10:11
 Portfolio Recovery Associates, LLC, c/o Walmart Credit Card, POB 41067, Norfolk VA 23541
 516409565 +E-mail/PDF: resurgentbknotifications@resurgent.com Oct 24 2017 23:09:53
 PYOD, LLC its successors and assigns as assignee, of Citibank, N.A.,
 Resurgent Capital Services, PO Box 19008, Greenville, SC 29602-9008
 516409691 +E-mail/PDF: resurgentbknotifications@resurgent.com Oct 24 2017 23:10:09
 PYOD, LLC its successors and assigns as assignee, of FNB, LLC, Resurgent Capital Services,
 PO Box 19008, Greenville, SC 29602-9008
 516340983 E-mail/Text: bnc-quantum@quantum3group.com Oct 24 2017 23:00:21
 Quantum3 Group LLC as agent for, MOMA Funding LLC, PO Box 788, Kirkland, WA 98083-0788
 515927909 +E-mail/PDF: gecscedi@recoverycorp.com Oct 24 2017 23:04:05 Syncb/toysrus, Attn: Bankruptcy,
 Po Box 103104, Roswell, GA 30076-9104
 515927910 +E-mail/PDF: gecscedi@recoverycorp.com Oct 24 2017 23:04:05 Synchrony Bank/ JC Penneys,
 Attn: Bankruptcy, Po Box 103104, Roswell, GA 30076-9104
 515927911 +E-mail/PDF: gecscedi@recoverycorp.com Oct 24 2017 23:04:05 Synchrony Bank/Walmart,
 Attn: Bankruptcy, Po Box 103104, Roswell, GA 30076-9104

District/off: 0312-2

User: admin
Form ID: pdf905

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Total Noticed: 42

Date Rcvd: Oct 24, 2017

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center
(continued)

515927912 +E-mail/Text: tidewaterlegalebn@twcs.com Oct 24 2017 22:59:55 Tidewater Credit Servi,
6520 Indian River Rd, Virginia Beach, VA 23464-3439

TOTAL: 17

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

515927899 Celtic/cont
cd* +Barcelona Capital LLC, 407 W. 39th Street, New York City, NY 10018-1230
cc* +Mohammad J Chaudhry, 18 Elm Court, Bayonne, NJ 07002-4371

TOTALS: 1, * 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court
immediately.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 26, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 23, 2017 at the address(es) listed below:

Bruce J. Wisotsky on behalf of Mediator Bruce J. Wisotsky bwisotsky@nmmlaw.com, mcamacho@nmmlaw.com
Charles M. Forman cforman@formanlaw.com, lcapasso@formanlaw.com;cforman@iq7technology.com
Charles M. Forman on behalf of Trustee Charles M. Forman cforman@formanlaw.com, lcapasso@formanlaw.com;cforman@iq7technology.com
Denise E. Carlon on behalf of Creditor Toyota Motor Credit Corporation dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com
Hetal Patel on behalf of Debtor Mohammad J Chaudhry nadiafinancial@gmail.com, patel.fitzlaw@gmail.com
John Sywilok on behalf of Plaintiff Barcelona Capital LLC sywilokattorney@sywilok.com, nj26@ecfcbsi.com
John W. Sywilok on behalf of Creditor Barcelona Capital LLC sywilokattorney@sywilok.com
John W. Sywilok on behalf of Plaintiff Barcelona Capital LLC sywilokattorney@sywilok.com
John W. Sywilok on behalf of Counter-Defendant Barcelona Capital LLC sywilokattorney@sywilok.com
Joseph Lubertazzi, Jr. on behalf of Creditor Capital One Equipment Finance Corp. d/b/a Capital One Taxi Medallion Finance jlubertazzi@mccarter.com
Kim R. Lynch on behalf of Attorney Forman Holt klynch@formanlaw.com, kanema@formanlaw.com
Kim R. Lynch on behalf of Plaintiff Charles M. Forman, as chapter 7 Trustee klynch@formanlaw.com, kanema@formanlaw.com
Kim R. Lynch on behalf of Trustee Charles M. Forman klynch@formanlaw.com, kanema@formanlaw.com
Martin C. Latinsky on behalf of Debtor Mohammad J Chaudhry mlatin56@gmail.com
Martin C. Latinsky on behalf of Defendant Shaheen Javed mlatin56@gmail.com
Martin C. Latinsky on behalf of Defendant Mohammad Javed Chaudhry mlatin56@gmail.com
Martin C. Latinsky on behalf of Counter-Claimant Mohammad J Chaudhry mlatin56@gmail.com
TOTAL: 17